

**Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

AIR QUALITY PERMIT

Permittee Name: American National Rubber Company
Mailing Address: 277 Industrial Drive
Cadiz, KY 42211

Source Name: American National Rubber Company, Cadiz Division
Mailing Address: same as above

Source Location: same as mailing address

Permit Type: Federally-Enforceable
Review Type: Conditional Major

Permit Number: F-01-003
Log Number: 53440
**Application
Complete Date:** January 24, 2001

KYEIS ID #: 21-221-00010
SIC Code: 3053

Region: Paducah
County: Trigg

Issuance Date: April 18, 2001
Expiration Date: April 18, 2006

**John E. Hornback, Director
Division for Air Quality**

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on January 24, 2001, the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

01 (01) HOT AIR OVEN #1
Natural gas fired
3.2 MMBtu/hr rated capacity
Eclipse 160 AH burner
Constructed by Young & Bertke, December 1994
Controlled by a Anguil Environmental Model 80 catalytic oxidizer

APPLICABLE REGULATIONS: 401 KAR 59:010, New Process Operations, applies to the particulate matter emissions from units constructed on or after July 2, 1975, which are not subject to another emissions standard with respect to particulates in 401 KAR Chapter 59.

1. Operating Limitations :

- a. The catalytic oxidizer shall control emissions of particulate matter from the hot air oven and shall be operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the division. The permittee has requested this limitation to meet the requirements of 401 KAR 59:010.
- b. The catalytic oxidizer shall control the emissions of volatile organic compounds (VOC) from the hot air oven with a destruction efficiency of at least 70%. This limitation is required to meet the sourcewide emission limit for VOC. Please refer to Section D.

Compliance Demonstration Method: The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when the particulate matter or VOC emissions were not properly controlled by the catalytic oxidizer.

2. Emission Limitations :

- a. Mass Emission Limit: Pursuant to 401 KAR 59:010, Section 3(2), the emission rate of particulate matter shall not exceed 2.34 lb/hr.
- b. Opacity Limit: Pursuant to 401 KAR 59:010, Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack which is equal to or greater than twenty (20) percent opacity.

Please refer to Section D for sourcewide limitations.

Compliance Demonstration Method: Compliance with the mass emission limit and opacity limit is assumed when the catalytic oxidizer controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the division.

3. Testing Requirements :

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the division.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the following parameters:
 - 1. The monthly usage of natural gas.
 - 2. The monthly weight and type of rubber slabs entering the oven.
 - 3. The monthly hours of operation of the hot air oven.
- b. The permittee shall calibrate, maintain, and operate according to manufacturer's specifications a monitoring device for the continual measurement of the inlet gas temperature (measured at the preheat chamber outlet) and the outlet gas temperature (measured at the catalyst bed outlet).

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following:

- a. The monthly usage of natural gas.
- b. The monthly weight and type of rubber slabs entering the oven.
- c. The monthly hours of operation of the hot air oven.
- d. Each incident when particulate matter or VOC emissions were not properly controlled by the oxidizer. This record shall include the date, time, duration, cause, and any corrective action taken.
- e. Continuous records of the temperature at the inlet and outlet of the oxidizer.
- f. All maintenance activities performed at the oxidizer, including preventive maintenance and routine inspections.

All records shall be kept for a period of five years.

6. Specific Reporting Requirements:

Please refer to reporting requirements in Section F.5.

The permittee shall submit a request to update the emission factors in the KYEIS as the result of any stack tests. This request should be submitted to Emissions Inventory Section, Division for Air Quality, 803 Schenkel Lane, Frankfort, KY 40601 within 90 days of the date of the stack test.

7. Specific Control Equipment Operating Conditions:

Please refer to Section E.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

O2 (O2) HOT AIR OVEN #2

Natural gas fired

5.0 MMBtu/hr rated capacity

Eclipse 250 AH burner

Constructed by George Koch & Sons, February 2001

Controlled by a Anguil Environmental Model 80 catalytic oxidizer

APPLICABLE REGULATIONS: 401 KAR 59:010, New Process Operations, applies to the particulate matter emissions from units constructed on or after July 2, 1975, which are not subject to another emissions standard with respect to particulates in 401 KAR Chapter 59.

1. Operating Limitations :

- a. The catalytic oxidizer shall control emissions of particulate matter from the hot air oven and shall be operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the division. The permittee has requested this limitation to meet the requirements of 401 KAR 59:010.
- b. The catalytic oxidizer shall control the emissions of volatile organic compounds (VOC) from the hot air oven with a destruction efficiency of at least 70%. This limitation is required to meet the sourcewide emission limit for VOC. Please refer to Section D.

Compliance Demonstration Method: The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when the particulate matter or VOC emissions were not properly controlled by the catalytic oxidizer.

2. Emission Limitations :

- a. Mass Emission Limit: Pursuant to 401 KAR 59:010, Section 3(2), the emission rate of particulate matter shall not exceed 2.34 lb/hr.
- b. Opacity Limit: Pursuant to 401 KAR 59:010, Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack which is equal to or greater than twenty (20) percent opacity.

Please refer to Section D for sourcewide limitations.

Compliance Demonstration Method: Compliance with the mass emission limit and opacity limit is assumed when the catalytic oxidizer controls the emissions of particulate matter and is operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the division.

3. Testing Requirements :

- a. Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the division.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- b. Within sixty (60) days after achieving the maximum production rate at which the hot air oven will be operated, but not later than 180 days after initial start-up, the permittee must perform a stack test to determine the particulate matter (PM) emission rate using testing methods and procedures specified in 401 KAR 59:010 Section 4. The test must be performed while processing product 4116-LB, 4116-LD, or 4116-LS. The arithmetic mean of three test runs shall be used to calculate an emission factor for particulate matter in pounds PM emitted per pound of rubber slabs processed. This emission factor will also be used to update the emission factor in KYEIS for emission point #O1 (Hot Air Oven #1) due to the similarity of the ovens. An updated emission factor for emission point #P1 (Two Cure Presses) will be calculated by multiplying the emission factor for the hot air oven by 39%. The source shall submit these emission factors to KYEIS as detailed in Specific Reporting Requirements.
- c. Within sixty (60) days after achieving the maximum production rate at which the hot air oven will be operated, but not later than 180 days after initial start-up, the permittee must perform a stack test to determine the VOC destruction efficiency of the catalytic oxidizer using testing methods and procedures specified in 401 KAR 50:015.

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the following parameters:
 - 1. The monthly usage of natural gas.
 - 2. The monthly weight and type of rubber slabs entering the oven.
 - 3. The monthly hours of operation of the hot air oven.
- b. The permittee shall calibrate, maintain, and operate according to manufacturer's specifications a monitoring device for the continual measurement of the inlet gas temperature (measured at the preheat chamber outlet) and the outlet gas temperature (measured at the catalyst bed outlet).

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following:

- a. The monthly usage of natural gas.
- b. The monthly weight and type of rubber slabs entering the oven.
- c. The monthly hours of operation of the hot air oven.
- d. Each incident when particulate matter or VOC emissions were not properly controlled by the oxidizer. This record shall include the date, time, duration, cause, and any corrective action taken.
- e. Continuous records of the temperature at the inlet and outlet of the oxidizer.
- f. All maintenance activities performed at the oxidizer, including preventive maintenance and routine inspections.

All records shall be kept for a period of five years.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

Please refer to reporting requirements in Section F.5.

The permittee shall submit a request to update the emission factors in the KYEIS as the result of any stack tests. This request should be submitted to Emissions Inventory Section, Division for Air Quality, 803 Schenkel Lane, Frankfort, KY 40601 within 90 days of the date of the stack test.

7. Specific Control Equipment Operating Conditions:

Please refer to Section E.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

P1 (P1) TWO (2) CURE PRESSES

Baldwin #SO 48555, constructed November 1994

Custom Engineering 1380 ton press, February 2001

APPLICABLE REGULATIONS: 401 KAR 59:010, New Process Operations, applies to the particulate matter emissions from units constructed on or after July 2, 1975, which are not subject to another emissions standard with respect to particulates in 401 KAR Chapter 59.

1. Operating Limitations: None.

2. Emission Limitations:

- a. Mass Emission Limit: Pursuant to 401 KAR 59:010, Section 3(2), the emission rate of particulate matter shall not exceed 2.34 lb/hr.
- b. Opacity Limit: Pursuant to 401 KAR 59:010, Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack which is equal to or greater than twenty (20) percent opacity.

Please refer to Section D for sourcewide limitations.

Compliance Demonstration Method:

- a. Mass Emission Limit: The permittee shall determine compliance with a monthly calculation using the following equation:
$$\text{Actual Emission Rate} = [\text{Processing rate in pounds per month of rubber slabs}] \times [\text{Emission factor listed in KYEIS in units of pounds PM emitted per pound of rubber slabs processed}] / [\text{monthly hours of operation of the cure presses}]$$
- b. Opacity Limit: The permittee shall determine compliance through performance of Method 9 readings as detailed under Specific Monitoring Requirements below.

3. Testing Requirements:

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the division.

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the monthly weight of rubber slabs entering the cure presses.
- b. The permittee shall monitor the monthly hours of operation of the cure presses.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- c. Monitoring (with date and time recorded) in accordance with 40 CFR 60 Appendix A, Method 9, shall be performed weekly on Stack P1 for at least 4 consecutive weeks. In addition, within sixty (60) days after achieving the maximum production rate at which the new cure press will be operated, but not later than 180 days after initial start-up, Method 9 shall be performed weekly for 4 consecutive weeks. If no Method 9 observation results in six-minute average opacity measurement above 15%, further monitoring shall be required at least once a quarter. If any Method 9 observation results in a six-minute average opacity measurement above 15%, weekly monitoring must be continued or resumed until the most recent 8 consecutive readings result in no opacity measurement above 15%. The readings shall be performed during typical operation by a representative of the permittee who is certified in visible emissions observations.

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following:

- a. The monthly weight of rubber slabs entering the cure presses.
- b. The monthly hours of operation of the cure presses.
- c. The opacity readings obtained by Method 9 and their corresponding time and date, and the name of the person performing the reading.
- d. A list of all representatives of the permittee that are certified Visible Emissions Evaluators and the date of certification.

All records shall be kept for a period of five years.

6. Specific Reporting Requirements:

Please refer to reporting requirements in Section F.5.

The permittee shall submit a request to update emission factors in the KYEIS as the result of any future stack tests. This request should be submitted to the Emissions Inventory Section, Division for Air Quality, 803 Schenkel Lane, Frankfort, KY 40601 within 90 days of the date of the stack test.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

B1 (B1) BOILER

Natural gas fired

8.3 MMBtu/hr rated capacity

Superior 200 HP boiler, February 2001

APPLICABLE REGULATIONS: 401 KAR 59:015, New indirect heat exchangers, applies to the particulate emissions and sulfur dioxide emissions of indirect heat exchangers with a capacity of greater than one million BTU per hour that were commenced on or after April 9, 1972 (for indirect heat exchangers with a capacity of 250 million BTU per hour heat input or less).

1. **Operating Limitations:** None.

2. **Emission Limitations:**

a. Standard for Particulate Matter: Pursuant to 401 KAR 59:015 Section 4, (1) emissions of particulate matter shall not exceed 0.56 lbs. per MMBtu actual heat input, and (2) emissions shall not exceed 20 percent opacity.

b. Standard for Sulfur Dioxide, Pursuant to 401 KAR 59:015 Section 5, emissions of sulfur dioxide shall not exceed 3.0 lbs. per MMBtu actual heat input.

Please refer to Section D for sourcewide limitations.

Compliance Demonstration Method: No compliance demonstration is required. The potential to emit and actual emissions of sulfur dioxide and particulate from the natural gas boilers are less than 10% of their respective allowable emission rates.

3. **Testing Requirements:** None.

4. **Specific Monitoring Requirements:**

The permittee shall monitor and maintain monthly records of natural gas usage.

5. **Specific Recordkeeping Requirements:**

Monthly records of natural gas usage shall be kept for a period of five years.

6. **Specific Reporting Requirements:**

Please refer to reporting requirements in Section F.5.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

A1 (A1) ADHESIVE COATING
Solvent-based contact adhesive
Hand applied with brush

APPLICABLE REGULATIONS: None.

1. **Operating Limitations:** The usage rate of adhesive coating shall not exceed 23.7 tons during any consecutive twelve (12) month period.

Compliance Demonstration Method: The permittee shall demonstrate compliance with a monthly calculation of the usage of adhesive coating for the previous twelve (12) months.

2. **Emission Limitations:** Please refer to Section D for sourcewide limitations.

3. **Testing Requirements:** None.

4. **Specific Monitoring Requirements:**
The permittee shall monitor and maintain records of the monthly usage (in pounds) of adhesive coating.

5. **Specific Recordkeeping Requirements:**
Please refer to 4. Specific Monitoring Requirements.
All records shall be kept for a period of five years.

6. **Specific Reporting Requirements:**
Please refer to reporting requirements in Section F.5.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	Six (6) space heaters (S1 through S6) Natural gas, 0.35 MMBtu/hr	None.
2.	Two (2) space heaters (S7, S8) Natural gas, 0.40 MMBtu/hr	None.
3.	Two (2) space heaters (S9, S10) Natural gas, 0.25 MMBtu/hr	None.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. The emissions of any individual Hazardous Air Pollutant (HAP) shall not exceed nine (9) tons and the total emission of combined HAP shall not exceed 22.5 tons during any consecutive twelve (12) month period. Compliance with this limitation is insured by the usage limit of adhesive coating.
2. The emissions of volatile organic compounds (VOC) shall not exceed ninety (90) tons during any consecutive twelve month period. Compliance with this limitation is insured when the catalytic oxidizer properly controls VOC emissions from Hot Air Oven #1 (O1) and Hot Air Oven #2 (O2) with a destruction efficiency of at least 70%.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
2. The catalytic oxidizer shall be maintained regularly in accordance with good engineering practices and recommendations of the respective manufacturer.
3. The permittee shall develop and maintain an operation manual for all control devices. The manual shall be modified as necessary to reflect changes in equipment, manufacturer specifications, and the operating history of the device. Operators of the control devices shall receive training on proper operation and maintenance of the control devices upon employment, upon modification of the manual, and at least annually. The permittee is reminded that some changes in equipment and operation may require prior approval from the division.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Summary reports of any monitoring required by this permit shall be submitted to the division's Paducah Regional Office at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

The reports are due within 30 days after the end of each six-month reporting period that commences on the initial issuance date of this permit. The permittee may shift to semi-annual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semi-annual reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to Section 6(1) of 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.

6. a. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Paducah Regional Office concerning startups, shutdowns, or malfunctions as follows:
1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
- b. In accordance with the provisions of 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Paducah Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by general condition F.5.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

7. Pursuant to 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Paducah Regional Office in accordance with the following requirements:
- a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office. **Annual compliance certifications should be mailed to the following addresses:**

**Division for Air Quality
Paducah Regional Office
4500 Clarks River Road
Paducah, KY 42003-0823**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

8. In accordance with 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
15. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
16. All previously issued construction and operating permits are hereby subsumed into this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)**(b) Permit Expiration and Reapplication Requirements**

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 50:035, Permits, Section 12].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Paducah Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.

SECTION G - GENERAL CONDITIONS (CONTINUED)

3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.
 4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055.
 5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Performance tests must be conducted in accordance with General Conditions G(d)6 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance tests.
 6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of a required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.
- (e) Acid Rain Program Requirements
1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable

SECTION G - GENERAL CONDITIONS (CONTINUED)

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
2. If requested, submit additional relevant information to the division or the U.S. EPA.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

Not applicable.

SECTION I - COMPLIANCE SCHEDULE

Not applicable.